

FILED FOR SALE
(ALASKA)

MAR 16 1970

Know All Men by These Presents, that Omar N. Stralman and Mabel Marie Stralman the parties of the first part, for and in consideration of the sum of \$10.00 (ten) Dollars, the full money of the United States of America to Northland Ranches Inc. in hand paid by the part of the second part, the receipt whereof is hereby acknowledged, ~~do~~ ^{does} by these presents grant, bargain, sell and convey unto the said part y of the second part, executors, administrators and assigns the following described property

FORUM OF LAND MANAGEMENT LIVESTOCK GRADING LEASE. Land office serial number Anchorage 4-100000

This Lease is for 40 animal units on 25,000 acres in the Kasagshak Bay and Kuskokwim Bay areas of Kodiak Island, Alaska

TO HAVE AND TO HOLD the same to the said part y of the second part, his executors, administrators and assigns forever. And they do for their heirs, executors and administrators, covenant and agree to and with the said part y of the second part, their executors, administrators and assigns, to warrant and defend the sale of the said property, goods and chattels hereby made unto the said part y of the second part, their executors, administrators and assigns, against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, they ha hereunto set hand and seal the 11 day of March, A.D. 19 70

Signed, Sealed and Delivered in the Presence of

EXHIBIT

ALL-STATE LEGAL®

A

UNITED STATES OF AMERICA,
STATE OF ALASKA

Individual Acknowledgment (Alaska)

ss.

THIS IS TO CERTIFY that on this _____ day of _____ 19____
before me the undersigned, a Notary Public in and for the State of Alaska, duly commissioned
and sworn, personally appeared _____

to me known to be the person _____ described in _____ and who executed the above and foregoing instrum-
ent, and acknowledged to me that _____ he _____ signed and sealed the same freely and volun-
tarily for the uses and purposes therein mentioned.

WITNESS my hand and official seal the day and year in this certificate first above written.

Notary Public for State of Alaska. My commission expires _____

BILL OF SALE
11/1/00

FROM

TO

FOR RECORD AT REQUEST OF

day of _____ 19____

County, Alaska

Notary Public

Per

Notary Commission

Printed

Denial

DC 111A
(Rev. 1/75)

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT		DOCKET NO. _____
OMAR STRATMAN		BRUCE BABBITT, SECTY INTERIOR, et al.		PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS		
		PLTF:	Def's:	
	P-1	Omar Stratman	D-1	Bruce Babbitt, Secretary of the Interior
	P-2	Toni Burton	D-2	Anton Larsen, Inc.
			D-3	Bells Flats Natives, Inc.
			D-4	Leisnoi, Inc.
			D-5	Koniag, Inc.
		PARTY COUNSEL (FYI)		
		<u>P-1</u> #115 Michael J. Schneider 880 "N" St., Suite 202 Anchorage, AK 99501 (907) 277-9306	<u>D-1</u> #120 Bruce M. Landon (AUSA) Dept of Justice Environment & Natural Res. Division Rm 217 222 W 7th Ave., #69 Anchorage, AK 99513-7553 (907) 271-5452	
		<u>P-2</u> #124 Alan L. Schmitt JAMIN EBELL BOLGER & GENTRY 323 Carolyn St. Kodiak, AK 99615 (907) 486-6024	<u>D-5</u> #119 R. Collin Middleton MIDDLETON TIMME & LUKE 550 W 7th Ave., Suite 1600 Anchorage, AK 99501 (907) 276-3390	
			<u>D-4</u> #126 Roy Longacre LONGACRE & ASSOCIATES 425 G St., Suite 910 Anchorage, AK 99501 (907) 276-6354	

THE KODIAK-ALEUTIAN CHAPTER OF ALASKA CONSERVATION SOC. ET AL VS. THOMAS KLEPPE

1976	HR	PROCEED
→ July 2	1	Fld complaint & issued summons
7	2	Fld summons to Thomas Kleppe; executed
Sep 7	3	Fld defts mot to dismiss
7	4	Fld defts memo supporting mot to dismiss
7	5	Fld defts certificate of nonexistence of records
23	6	Fld defts cert of svc of mot to dismiss, etc.
29	7	Fld pltfs oppos to mot to dismiss
29	8	Fld pltfs req for oral agmnt on deft's mot for dismissal
Oct 14	9	Fld ORDER setting oral agmnt on defts mot to dismiss 11/5/76 @ 10A Cy cnsl
29	10	Fld pltfs supp to oppos to mot to dismiss
Nov 5	11	Fld ORDER re additional filings on deft's mot to dismiss. Cy cnsl
5	12	Fld court minutes of hrg on deft's mot to dismiss
15	13	Fld pltfs oppos to mot to dismiss for failure to exhaust adm. reme
17	14	Fld pltfs req for oral agmnt on deft's mot for SJ
18	15	Fld pltfs supp to oppos to mot to dismiss
19	16	Fld pltfs 2d supp mot to dismiss for failure to exhaust adm. remedi
19	17	Fld fed defts reply to oppos to mot to dismiss
Dec 07	18	Fld memo & ORDER partially granting & partially denying defts mot t and allowing pltfs 30 days to file an amended complaint. Cys Cnsl.
<u>1977</u>		
Jan 5	19	Fld amended complaint & issued summons to Roger Henderson.
26	20	Fld answer of deft Kleppe.
Mar 1	21	Fld Ans Deft Anton Larsen, Inc, Vells Flats Natives, Inc, Leisnoi, Inc & Koniag, Inc to Amended Compl
2	22	Fld ORDER & Appl granting appear Edward Weinberg bh Anton Larsen, Inc Bells Flats Natives, Inc, Leisnoi, Inc & Koniag, Inc - cy cnsl
9	23	Fld supplemental summons w/ Marshal's return executed as to Anton La Inc.; Bells Flats Natives, Inc.; Leisnoi, Inc.; & Koniag, Inc.; unexecuted as to Roy Madsen, registered agent for Anton Larsen, Inc.
Aug 16	24	Fld pltfs request for production.
Nov 8	25	Fld pltfs notice of depo: Patricia Hampton & issued subp.

1 Roger E. Henderson
 2 805 West Third Avenue
 3 Suite 200
 4 Anchorage, Alaska 99501
 5 Phone: 272-1527
 6
 7 Attorney for Plaintiffs

8 IN THE UNITED STATES DISTRICT COURT
 9 FOR THE DISTRICT OF ALASKA

10 OMAR STRATMAN, TONI BURTON,
 11 JOHN MURRAY, MICHAEL DEVERS,
 12 JAMES SCHAUFF, and BRIAN SHAFFORD,
 13 Plaintiffs,

14 vs

15 THOMAS S. KLEPPE, Secretary of the
 16 Interior, ANTON LARSEN, INC., BELLS
 17 FLATS NATIVES, INC., LEISNOI, INC.,
 18 and KONIAG, INC., REGIONAL NATIVE
 19 CORPORATION,

20 Defendants.

No. A76-132 Civil

MEMORANDUM FOR
 AMENDED COMPLAINT

21 Plaintiffs hereby file an amended complaint in the above-
 22 captioned case. The amendment conforms to the order of the Court,
 23 dated December 7, 1976, in that Native Corporations which have or
 24 claim to have an interest in the lands in question have been
 25 added as defendants, and allegations pertaining to fraud or mistake
 26 have been eliminated.

27 Further modifications are the elimination of the Kodiak
 28 Aleutian Chapter of the Alaska Conservation Society as a plaintiff
 29 and allegations of additional injuries to plaintiffs Stratman and
 30 Burton. Said allegations are contained in paragraph VII.

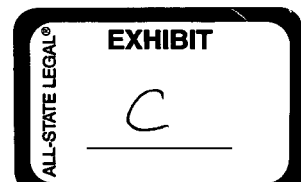
31 DATED this 5th day of January, 1977.

HOUSTON & HENDERSON
 Attorneys for Plaintiffs

By Roger E. Henderson
 Roger E. Henderson

-1-

HOUSTON & HENDERSON
 A PROFESSIONAL CORPORATION
 ATTORNEYS AT LAW
 805 WEST THIRD AVENUE
 ANCHORAGE, AK. 99501
 TELEPHONE 272-1527



Roger E. Henderson
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Anchorage, Alaska 99501
Phone 272-1527

Attorney for Plaintiffs

FILED

5 1977

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

OMAR STRATMAN, TONI BURTON,
JOHN MURPAY, MICHAEL DEVERS,
JAMES SCHAUFF, and BRIAN SHAFFORD,
Plaintiffs,

vs.

THOMAS S. KLEPPE, Secretary of the
Interior, ANTON LARSEN, INC., BELLS
FLATS NATIVES, INC., LEISNOI, INC.,
and KONIAG, INC., REGIONAL NATIVE
CORPORATION,
Defendants.

No. A76-132 Civil

AMENDED
COMPLAINT

For cause of action, plaintiffs, by and through their
attorneys, HOUSTON & HENDERSON, complain and allege as follows:

I.

The defendant, Secretary of the Interior, (hereinafter
referred to as the Secretary) is required by the Alaska Native
Claims Settlement Act, 43 U.S.C.A. §1610 (b)(3) to find native
villages eligible to receive land conveyances provided that
twenty-five or more Alaska Natives were residents of an estab-
lished village on the 1970 census enumeration date.

II.

The alleged villages of Antol Larsen Bay, Bells Flats,
and Woody Island (Leisnoi) were not established villages on the

-1-

1 1970 census enumeration date, nor did they at that time have
 2 twenty-five or more Natives as residents. Notwithstanding
 3 these facts, the defendant corporations of Anton Larsen, Inc.,
 4 Bells Flats Natives, Inc., and Leisnoi, Inc., (hereafter referred
 5 to as Village Corporations) were formed for the purpose, in
 6 part, of receiving title to Federal lands pursuant to the Act on
 7 behalf of Anton Larsen Bay, Bells Flats, and Woody Island
 8 respectively.

9 III.

10 Despite the ineligibility of Anton Larsen Bay, Bells
 11 Flats, and Woody Island by the statutory criteria to receive
 12 Federal land under the statute, the Village Corporations have
 13 made tentative selections from the public domain on Kodiak
 14 Island, Woody Island and nearby areas, and have petitioned the
 15 Secretary for patent to the lands selected.

16 IV.

17 Defendant KONIAG, INC., REGIONAL NATIVE CORPORATION
 18 has or claims to have a mineral interest in all lands referred to
 19 in paragraph III above in the event that patent as requested is
 20 granted by the Secretary.

21 V.

22 Plaintiffs Omar Stratman and Toni Burton each own
 23 grazing leases initially issued by the United States pursuant
 24 to 45 U.S.C.A §471. All or a portion of the lands under said
 25 leases were selected by the State of Alaska for patent to it
 26 under the Alaska Statehood Act. By operation of State Statute,
 27 grazing leases issued by the United States for lands which are
 28 subsequently selected and patented to the state are subject to
 29 renewal at the option of the lessee upon the lease expiration
 30 date under identical terms and conditions. Such option to
 31 renew constitutes a valuable property right in plaintiffs
 32

-2-

1 Omar Stratman and Toni Burton.

2 VI

3 All or portions of the lands under said grazing leases
4 which had been selected by the State of Alaska have now been
5 selected by the Village Corporations for patent to them. If
6 such patents are issued in violation of 43 U.S.C.A. §1610 (b)(3),
7 property rights of Omar Stratman and Toni Burton will be
8 terminated because the State of Alaska will not receive patent
9 to the subject lands which it has already selected. The
10 termination of these rights will constitute grave and irreparable
11 injury to the plaintiffs, and plaintiffs will each be damaged
12 in an amount exceeding \$10,000.00.

13 VII.

14 Plaintiffs Omar Stratman and Toni Burton each own
15 an interest in a slaughter-house facility situated upon land
16 which has been selected by defendant Leisnoi, Inc. for patent
17 to it. Prior to said selection by the Village Corporations,
18 the land in question had been selected by the State of Alaska
19 and tentatively approved by the Secretary for patent. The
20 state, after its selection, released its rights in said lands to
21 the Kodiak Island Borough which in turn gave a quit-claim to
22 the owners of the slaughter-house facility, including plaintiffs
23 Stratman and Burton. If patents are issued to the Village
24 Corporations in violation of 43 U.S.C.A. §1610 (b)(3), existing
25 property rights of plaintiffs Stratman and Burton will be
26 terminated, said termination causing grave and irreparable
27 injury to plaintiffs and damaging them in an amount exceeding
28 \$10,000.00.

29 VIII.

30 All individual plaintiffs presently make extensive use
31 of lands in the public domain on Kodiak Island and Woody Island

1 for recreation purposes including hunting, fishing, camping,
 2 hiking, picnicking, boating, berry picking, bird watching and
 3 nature observation and photography. The lands selected for
 4 patent to the Village Corporations of Anton Larsen, Inc. and
 5 Bells Flats Natives, Inc. are either used for said recreational
 6 purposes or must be used for access to such areas. Patent of
 7 these lands to the Village Corporations in violation of
 8 43 U.S.C.A. §1610 (b)(3) will terminate the plaintiff's rights
 9 of access and enjoyment of Federal lands in the public domain.
 10 Such termination of rights of access and enjoyment will
 11 constitute grave and irreparable injury to the plaintiffs, and
 12 plaintiffs will be damaged in an amount exceeding \$10,000.00.

13 IX.

14 Jurisdiction and venue in this Court are provided by
 15 28 U.S.C.A. §1331 and 28 U.S.C.A. §1391.

16 WHEREFORE: Plaintiffs pray as follows:

17 (1) That the Secretary be permanently enjoined from
 18 issuing any patents to or other interest in real property in
 19 the Federal domain to the Village Corporations.

20 (2) That any conveyances of any interest in real
 21 property which might have been made to said Village Corporations
 22 by the Secretary be declared null and void.

23 (3) That plaintiffs be awarded their costs and
 24 attorney's fees.

25 (4) Such other relief as the Court deems just.

26 DATED this 5th day of January, 1977.

27 HOUSTON & HENDERSON
 28 Attorneys for Plaintiffs

29 By Roger E. Henderson
 30 Roger E. Henderson
 31
 32

1 Roger E. Henderson
2 HOUSTON & HENDERSON
3 805 West Third Avenue
4 Anchorage, Alaska 99501
5 Phone: 272-1527

6 Attorneys for Plaintiffs

FILED

APR 20 1979

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By LC Deputy

7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE DISTRICT OF ALASKA

9 OMAR STRATMAN, MARTIN WOODS,
10 and JOHN "B" SHOEMAKER,

11 Plaintiffs,

12 vs.

13 CECIL D. ANDRUS, Secretary of
14 the Interior, LEISNOI, INC.,
15 and KONIAG, INC., Regional
16 Native Corporations,

17 Defendants.

A79-116 CIV

Case No. _____

C O M P L A I N T

18 For their cause of action, plaintiffs, by and
19 through their attorneys, HOUSTON & HENDERSON, complain and
20 allege as follows:

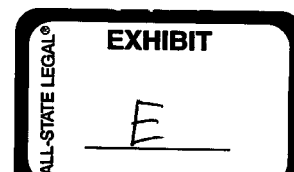
21 I.

22 The defendant Secretary of the Interior (hereinafter
23 referred to as the "Secretary") is required by the Alaska Native
24 Claims Settlement Act, 43 U.S.C.A. §1610(d)(3), to find Alaska
25 Native Villages eligible to receive land conveyances, provided
26 that twenty-five or more Alaska Natives were residents of an
27 established village on the 1970 census enumeration date.

28 II.

29 The alleged Village of Woody Island (Leisnoi) was
30 not an established village on the 1970 census enumeration date,
31 nor did it have twenty-five or more Natives as residents.

32 Despite the fact that Woody Island did not meet the



1 statutory criteria of an eligible village, certain persons
2 claiming to be residents of Woody Island made application to
3 the Secretary to have the alleged village certified as eligible.
4 In support of their application, said individuals submitted to
5 the Department of Interior false affidavits obtained from
6 prospective stockholders of Leisnoi, Inc. Said affidavits
7 contain material misrepresentations of fact which, if taken at
8 face value, would support the application for certification.

9 III.

10 A field investigation was made by a servant of the
11 Secretary for the purpose of recommending whether Woody Island
12 should be certified by the Secretary as an eligible village.
13 The report of that investigation contains numerous material
14 false statements which the investigator knew or should have
15 known to be untrue. The Secretary used the false information
16 contained in the investigation report and the false affidavits
17 submitted with the application as justification for his declara-
18 tion that Woody Island was an eligible village under the pro-
19 visions of the Alaska Native Claims Settlement Act.

20 IV.

21 Defendant Leisnoi, Inc. was formed as an Alaska
22 business corporation for the purpose, in part, of receiving
23 title to federal land based upon the wrongful certification of
24 Woody Island as an eligible village. Leisnoi, Inc. has made
25 tentative selections of land within the public domain on Kodiak
26 Island, Woody Island, and nearby areas, and has petitioned the
27 Secretary for patents to the lands thus selected.

28 V.

29 Defendant Koniag, Inc., Regional Native Corporation,
30 has or claims to have mineral or other interests in all land to
31 which Leisnoi, Inc. might obtain patent.

VI.

Plaintiff Omar Stratman owns a grazing lease originally issued by the United States pursuant to 45 U.S.C.A. §471, under Serial No. A-059264, which said lease contains approximately 20,400 acres. All or portions of the lands underlying said lease were selected by the State of Alaska for patent to it pursuant to the Alaska Statehood Act and the administration of the lease was accordingly transferred from the United States to the State of Alaska. The land underlying the lease which had been selected by the State for patent has now been selected by Leisnoi, Inc. and the State will lose any rights it might have to the lands in question upon patent to Leisnoi, Inc. Because of State policy with respect to agricultural leaseholds and State statutes pertaining to the lease of State lands, the value of the leasehold to Stratman will be considerably diminished if patent is granted to Leisnoi, Inc., instead of to the State.

VII.

Stratman, in 1970, made application to the State of Alaska to lease an additional six thousand acres adjacent to his established ranching operation from lands which the State had selected for patent. Before the lease was issued, Leisnoi, Inc. selected for patent to it the lands underlying the lease for which Stratman had applied. The lease application has never been denied and has never been withdrawn by Stratman. The State cannot grant the lease to Stratman, however, until and unless it receives patent. The present selection by Leisnoi, Inc. remains as a continuing obstacle to granting of the lease application.

VIII.

Plaintiff Martin Woods is the owner of record of Lot Five (5), Survey No. 34-74, which lot contains approximately

1 3.57 acres located on Kodiak Island. Wood's lot, which had
2 been originally selected by the State of Alaska for patent to
3 it, was sold by a contract of sale, to which Woods became the
4 assignee of the interest of the original purchaser. Leisnoi,
5 Inc. has selected the lot for patent to it, however, and the
6 State has never received title. Woods has made substantial
7 improvements to the land in question but will lose his rights
8 to the land and improvements thereon if patent is granted to
9 Leisnoi, Inc.

10 IX.

11 Plaintiff John "B" Shoemaker is the owner of record
12 of Lot Seven (7), Survey No. 34-74, which lot contains approxi-
13 mately 3.67 acres located on Kodiak Island. Shoemaker was
14 granted the lot by the State of Alaska pursuant to a contract
15 of sale executed on May 22, 1968. Leisnoi, Inc. has selected
16 the lot for patent to it, however, and the State has never
17 received title. Shoemaker has made substantial improvements
18 to the land in question, but will lose his rights to the land
19 and improvements thereon if patent is granted to Leisnoi, Inc.

20 X.

21 In addition to the injuries complained of above,
22 the value of the property interests of the plaintiffs will be
23 adversely affected if adjacent and nearby lands are patented to
24 Leisnoi, Inc. instead of remaining in public ownership, or being
25 patented to the State of Alaska.

26 XI.

27 Although the plaintiffs' interests in the lands in
28 question were matters of record at all times pertinent to the
29 allegations herein, plaintiffs were not given notice by the
30 Secretary of the pending certification of Woody Island within
31 the time allowed by Department of Interior regulations to enter
32

1 protests. As a result, plaintiffs were denied an opportunity
 2 to protest the certification of Woody Island and the selection
 3 by Leisnoi, Inc. of federal lands for patent. Had they been
 4 afforded the opportunity to be heard, plaintiffs would have
 5 presented evidence to show that there was no village eligible
 6 for certification, and the allegations of residence and use
 7 offered in support of the application of Woody Island were false.

8 XII.

9 The Secretary has refused, and continues to refuse,
 10 to re-examine his finding of eligibility of Woody Island, even
 11 though he has had knowledge in his possession at least since
 12 August of 1978 that Woody Island does not meet the statutory
 13 criteria requisite to the patent of land to Leisnoi, Inc., and
 14 that the determination of the eligibility of Woody Island was
 15 based upon false affidavits made by persons in a position to
 16 reap economic benefits from the certification of Woody Island.

17 XIII.

18 Plaintiffs, and others similarly situated, will
 19 suffer irreparable harm unless a permanent injunction is issued
 20 preventing the transfer of said public lands to Leisnoi, Inc.

21 XIV.

22 Jurisdiction and venue in this Court are provided
 23 by 28 U.S.C.A. §1331 and 28 U.S.C.A. §1391.

24 WHEREFORE, plaintiffs pray as follows:

25 1. That the Secretary be permanently enjoined from
 26 issuing any patents to, or other interests in, any real property
 27 in the federal domain to Leisnoi, Inc.

28 2. That any conveyances of any interest in real
 29 property that might have been made to said village corporation
 30 by the Secretary be declared null and void.

31 3. That the certification of eligibility of Woody
 32

1 Island by the Secretary be declared null and void.

2 4. For such other relief as the Court deems just.

3 DATED this 13th day of April, 1979.

4 HOUSTON & HENDERSON
5 Attorneys for Plaintiffs

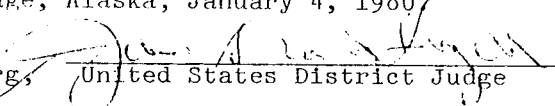
6
7 By: Roger E. Henderson
8 Roger E. Henderson

Secretarial Order No. 3016 (Dec. 14, 1977). Stratman v. Andrus, 472 F. Supp. 1172 (D. Alaska 1979). Non-federal defendants' motion to dismiss will be granted because plaintiffs do not have standing to challenge the certification of Woody Island or the selection of land by Leisnoi, Inc.

The federal government's motion for a stay and a remand to the administrative agency for further proceedings is completely inconsistent with positions taken recently by the government in the related case referred to as Stratman I. If this court lacks jurisdiction, it has no power to remand to an administrative proceeding. Fed. R. Civ. P. 12(h) states that "Whenever it appears by suggestion of the parties or otherwise that the court lacks jurisdiction of the subject matter, the court shall dismiss the action." Whatever powers the Secretary of Interior has to review the certification of Woody Island or prevent the fraudulent conveyance of public land are not dependent upon this court's jurisdiction over this suit. The Secretary of Interior does not create jurisdiction in this court by his desire to investigate a particular situation.

Accordingly IT IS ORDERED:

1. THAT non-federal defendants' motion to dismiss is granted.
2. THAT federal defendant's and plaintiffs' motion for remand and stay pending administrative proceeding is denied as moot.
3. THAT the Clerk prepare a final judgment form stating that this case is dismissed.

DATED at Anchorage, Alaska, January 4, 1980
 cc: Martin Greene,
 Dan Hensley, Roger
 Henderson, Edward Weinberg, 
 Cynthia Pickering, Asst. United States District Judge
 U. S. Attorney

Secretarial Order No. 3016 (Dec. 14, 1977). Stratman v. Andrus, 472 F. Supp. 1172 (D. Alaska 1979). Non-federal defendants' motion to dismiss will be granted because plaintiffs do not have standing to challenge the certification of Woody Island or the selection of land by Leisnoi, Inc.

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1. THAT non-federal defendants' motion to dismiss is granted.
2. THAT federal defendant's and plaintiffs' motion for remand and stay pending administrative proceeding is denied as moot.
3. THAT the Clerk prepare a final judgment form stating that this case is dismissed.

DATED at Anchorage, Alaska, January 4, 1980
cc: Martin Greene,
Dan Hensley, Roger
Henderson, Edward Weinberg,
Cynthia Pickering, Asst.
U. S. Attorney

[Signature]
United States District Judge

JUDGMENT ON DECISION BY THE COURT

FILED (7-63)

United States District Court

FOR THE

DISTRICT OF ALASKA

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA

By Deputy

OMAR STRATMAN, MARTIN WOODS, JOHN "B"
SHOEMAKER,
Plaintiffs,

CIVIL ACTION FILE NO. A79-116

vs.

CECIL D. ANDRUS, Secretary of the Interior,
LEISNOI, INC., and KONIAG, INC., Regional
Native Corporation,
Defendants.

JUDGMENT

consideration
This action came on for ~~XXXXXX~~ before the Court, Honorable JAMES A. VON DER HEYDT
, United States District Judge, presiding, and the issues having been duly tried
considered ~~(XXXX)~~ and a decision having been duly rendered,

It is Ordered and Adjudged that this case is dismissed.

Dated at Anchorage, Alaska
of January , 1980 .

, this 7th day

APPROVED:

James A. von der Heydt
United States District Judge

cc: Henderson
Pickering
Hendley

JoAnn Myres

Clerk of Court

By: Richard M. Henderson
Deputy Clerk

Schickel